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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

PAIK, STEVE S

ART UNIT PAPER NUMBER

2876

DATE MAILED: 04/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Applicati n N .

09/899,817

Applicant(s)

MOCHIZUKI, YASUYUKI

Examiner

Steven S. Paik

Art Unit

2876

-- The MAILING DATE of this c mmunication appears on the c ver sheet with the corresp ndence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 January 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. Receipt is acknowledged of the Amendment filed January 27, 2003.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 2, 5-12, and 15-19, are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki (US 6,072,916) in view of Yamamoto (US 5,936,709).

Re claims 1, 6, 9-12, and 16, Suzuki discloses an image forming apparatus comprising a reading device (14 in figure 1) for photoelectrically reading an image of an original to obtain digital image data (col. 4, ll. 6-8), an image processor (10) for subjecting the digital image data to predetermined image processing (col. 4, ll. 57-59) to obtain processed image data, a printer (16) for outputting a print according to the processed image data, and an image recording device for outputting the image processed data to an image file (col. 5, ll. 8-12).

However, Suzuki fails to teach both of outputting the image recording device further comprising an original identifying information input device for inputting information for identifying the original before the original is read and a data base for storing the inputted original identifying information in relation to the image file.

Yamamoto discloses an index print (IP) and seal (10) with an identification code (barcode B in Fig. 3) printed by any conventional printers (col. 8, ll. 58-60) for the purpose of improving the efficiency of reorder/reprint process and quality of reprints (col. 44-54). The barcoded information is read by a barcode reader (12 and 22 and col. 8, line 63 - col. 9, line 4). He further discloses a database (storing means 6) for storing the inputted original identifying information (barcode B and 211-216 in Fig. 16). The barcode data B is stored in the memory and the barcodes 211-216 printed on index prints represent the image frames of the film are for easy and fast reprocessing of the original film.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to further employ the index print and seal with an identification code for efficient reprint process and reordering of the original images on a recording medium, as taught by Yamamoto, in addition to the image forming apparatus of Suzuki due to the fact that an index print or a DP bag with an original identifying code can improve the efficiency with reorder and reprint process and quality of reprinted images.

Regarding claim 2, Suzuki in view of Yamamoto discloses the image forming apparatus as recited in rejected claim 1 stated above, where the original identifying information input device is a bar code reader (12 or 22).

Regarding claims 5 and 17, Suzuki in view of Yamamoto discloses the image forming apparatus as recited in rejected claim 1 stated above, in which the original identifying information input device is a device through which an operator inputs information for identifying the original as a character string (seal 10 or barcodes 211-216).

Regarding claims 7 and 8, Suzuki in view of Yamamoto discloses the image forming apparatus as recited in rejected claim 1 stated above, further comprising a print device (index printer 406 of Yamamoto) for back printing the information for identifying the original on the print.

Regarding claim 15, Suzuki in view of Yamamoto discloses the image forming apparatus as recited in rejected claim 1 stated above, explains how an image prepared by digital apparatus (col. 1, ll. 34-41) is processed. The image prepared by digital data may be from a scanned image file or a digital camera.

4. Claims 3, 4, 13 and 14, are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki (US 6,072,916) as modified by Yamamoto (US 5,936,709) as applied to claim 1 above, and further in view of Nishida et al. (US 5,886,774).

Re claims 3, 13 and 14, the teachings of Suzuki in view of Yamamoto have been discussed.

Although Suzuki in view of Yamamoto discloses the image forming device comprising an original identifying information input device and a data base storing the original identifying information by using barcodes, it does not specifically disclose the identifying information is disposed on extreme end of original.

Nishida et al. discloses a photographic processing system including a barcode reader for reading processing information on a photographic film (Fig. 4a-4c). The barcode (33) affixed on one end of the original and a film container (2) ensures promoting the same printing condition for each time the film is developed. Accordingly, the reorder/reprint quality remains the same regardless the number of reorder/reprint requests.

Art Unit: 2876

Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to substitute the location of the barcode information on the index prints or on the DP bag of Yamamoto with the barcode on the film, as taught by Nishida et al. since it produces functionally equivalent result. Such modification would have been obvious matter of design variations and well known in the art.

Regarding claim 4, Suzuki in view of Yamamoto discloses the image forming apparatus as recited in rejected claim 1 stated above, where the original identifying information input device (barcode reader) is the reading device for photoelectrically reading the original and further comprises a unit for magnetically reading information, an identifier having a marker attached thereto, which shows information for identifying the original and can be magnetically read, is disposed to an extreme end of original, and the marker is read by the reading device at the same time the image of the original is read (col. 1, ll. 34-52).

5. Claims 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki (US 6,072,916) as modified by Yamamoto (US 5,936,709) as applied to claim 1 above, and further in view of Takaoka (US 6,459,500).

The teachings of Suzuki in view of Yamamoto have been discussed.

Although Suzuki in view of Yamamoto discloses the image forming device comprising an original identifying information input device and a data base storing the original identifying information by using barcodes, Suzuki and Yamamoto are silent about the database is connected through a network.

Takaoka discloses an image processing apparatus such as a photoprinter (10) capable of receiving image data from various kinds of image reading means, photographing means, image

Art Unit: 2876

data memory means including photographing devices such as digital camera, digital video camera, and the like via transmission means such as LAN, computer communication network (Internet), recording media and memory media. All of the transmission means mentioned above provides a way to exchange data between at least two photoprinters which may be located at a separate location.

Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to incorporate the various transmission means, as taught by Takaoka, with the teachings of Suzuki in view of Yamamoto since it allows the user of an image forming apparatus more flexibility in terms of geographic locations and speedy data exchanges between laboratories. Furthermore, a customer who wants to develop his film or print digital image files in his digital camera would benefit from the computer communication network such as Internet because he/she doesn't have to stop by a physical location of a film developing store.

Response to Arguments

6. Applicant's arguments, see pages 5-7 filed on January 27, 2003, with respect to the rejection(s) of claim(s) 1-9 under 35 U.S.C. § 103 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of newly found prior art of references. The teachings of the newly found references have been fully disclosed in this Office Action.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Art Unit: 2876

Hashimoto (US 5,321,523) discloses an image processing apparatus showing an identification performance between the image of half-tone and an image of tone other than the half-tone.

Ishii (US 5,940,168) discloses an image processing apparatus using an identifying code on a film bag or index prints for improving reprint process.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven S. Paik whose telephone number is 703-308-6190. The examiner can normally be reached on Mon - Fri (5:30am-2:00pm).


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 703-305-3503. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-6893 for regular communications and 703-308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0530.

Steven Paik

Steven S. Paik
Examiner
Art Unit 2876

ssp
April 4, 2003


MICHAEL G. LEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800